USSN 10/073644 (MXI-211)
Proposed Amended Claims

52-58. **(Canceled)**

59. **(Allowed/Amended)** An isolated human monoclonal antibody, or antigen binding portion thereof, selected from the group consisting of:

(a) an antibody, or antigen binding portion thereof, comprising (i) a heavy chain variable region comprising CDR1, CDR2, and CDR3 sequences comprising amino acid residues 30-35, amino acid residues 50-66, and amino acid residues 99-108 of SEQ ID NO:2, respectively; and (ii) a light chain variable region comprising CDR1, CDR2, and CDR3 sequences comprising amino acid residues 24-34, amino acid residues 50-56, and amino acid residues of 89-97 of SEQ ID NO:4, respectively, wherein the antibody binds to human CD89; and

(b) an antibody, or antigen binding portion thereof, comprising (i) a heavy chain variable region comprising CDR1, CDR2, and CDR3 sequences comprising amino acid residues 31-35, amino acid residues 50-66, and amino acid residues 99-108 of SEQ ID NO:6, respectively; and (ii) a light chain variable region comprising CDR1, CDR2, and CDR3 sequences comprising amino acid residues 24-35, amino acid residues 51-57, and amino acid residues 90-99 of SEQ ID NO:8, respectively, wherein the antibody binds to human CD89.

60. **(Amended)** An isolated human monoclonal antibody, or antigen binding portion thereof, comprising a human heavy chain variable region and a human light chain variable region, wherein:

(a) the human heavy chain variable region comprises an amino acid sequence that is at least 90% ~~homologous~~ identical over the entire length of ~~to~~ the amino acid sequence of SEQ ID NO:2;

(b) the human light chain variable region comprises an amino acid sequence that is at least 90% ~~homologous~~ identical over the entire length of ~~to~~ the amino acid sequence of SEQ ID NO:4;

(c) the antibody binds to human CD89;

(d) the antibody does not activate complement upon binding to CD89 *in vivo*; and

(e) the antibody does not block IgA binding to CD89.

61. **(Amended)** An isolated human monoclonal antibody, or antigen binding portion thereof, comprising a human heavy chain variable region and a human light chain variable region, wherein:

(a) the human heavy chain variable region comprises an amino acid sequence that is at least 90% ~~homologous~~ identical over the entire length of ~~to~~ the amino acid sequence of SEQ ID NO:6;

(b) the human light chain variable region comprises an amino acid sequence that is at least 90% ~~homologous~~ identical over the entire length of ~~to~~ the amino acid sequence of SEQ ID NO:8;

(c) the antibody binds to human CD89;

(d) the antibody does not activate complement upon binding to CD89 *in vivo*; and

(e) the antibody does not block IgA binding to CD89.

62. **(Allowed)** An isolated human monoclonal antibody, or antigen binding portion thereof, comprising human heavy chain and human light chain variable regions comprising the amino acid sequences shown in SEQ ID NO:2 and SEQ ID NO:4, respectively.

63. **(Allowed)** An isolated human monoclonal antibody, or antigen binding portion thereof, comprising human heavy chain and human light chain variable regions comprising the amino acid sequences shown in SEQ ID NO:6 and SEQ ID NO:8, respectively.

64. **(Amended)** An isolated human monoclonal antibody, or antigen binding portion thereof, comprising:

(a) a heavy chain variable region derived from a human germline V_H 3-30.3 gene (SEQ ID NO:8) **[NOTE: GERMLINE SEQUENCES TO BE ADDED TO THE SEQUENCE LISTING]**; and

(b) a light chain variable region derived from a human germline V_K L18 (SEQ ID NO:9) or V_K A27 (SEQ ID NO:10) gene;

wherein the human antibody binds human CD89.

65. **(Amended)** The antibody, or antigen binding portion thereof, of claim 64, wherein the light chain variable region is derived from a human germline V_K L18 gene (SEQ ID NO:9).

66. **(Amended)** The antibody, or antigen binding portion thereof, of claim 64, wherein the light chain variable region is derived from a human germline V_K A27 gene (SEQ ID NO:10).

67. **(Amended)** The antibody, or antigen binding portion thereof, of claim 59, 60 or ~~61~~ 61, wherein the antibody is a Fab fragment or a single chain antibody. **[WE CAN REMOVE MULTIPLE DEPENDENCIES BEFORE FILING]**

68. **(Amended)** A hybridoma comprising a B cell obtained from a transgenic nonhuman animal having a genome comprising a human heavy chain transgene and a light chain transgene fused to an immortalized cell, wherein the hybridoma produces a detectable amount of the antibody, or antigen binding portion thereof, of claim 59, 60, or ~~61~~ 61.

69. **(Amended)** A transfectoma comprising nucleic acids encoding a human heavy chain and a human light chain, wherein the transfectoma produces a detectable amount of the antibody, or antigen binding portion thereof, of claim 59, 60, or ~~61~~ 61.

70. **(Canceled)**

71. **(Amended)** A method of producing the antibody, or antigen binding portion thereof, of claim 59, 60, or ~~61~~ 61, comprising:

immunizing a transgenic nonhuman animal having a genome comprising a human heavy chain transgene and a human light chain transgene with human CD89 or a cell expressing human CD89, such that antibodies are produced by B cells of the animal;

isolating B cells of the animal;

fusing the B cells with myeloma cells to form immortal, hybridoma cells that secrete human monoclonal antibodies specific for CD89; and

isolating the human monoclonal antibodies specific for CD89 from the culture supernatant of the hybridoma.

72 - 84. **(Canceled)**

85. **(Amended)** A composition comprising the antibody, or antigen binding portion thereof, of claim 59, 60, or 61 ~~1~~ and a pharmaceutically acceptable carrier.

86 and 87. **(Canceled)**

88. **(Amended)** A composition comprising a combination of two or more antibodies, or antigen binding portions thereof, of claim 59, 60, or 61 ~~1~~, wherein each of said antibodies, or antigen binding portions thereof, binds to a distinct epitope of human CD89.

89. The composition of claim 85 further comprising a cytotoxic agent.

90. **(Canceled)**

91. **(Amended)** ~~A method of inhibiting growth of a cell comprising contacting the~~ cell with an effective amount of the antibody, or antigen binding portion thereof, of claim 59, 60, or 61, ~~bispecific or multispecific molecule of claim 72~~ such that growth of the cell is ~~inhibited, wherein the bispecific or multispecific molecule includes a portion which binds to an antigen on the cell~~.

92- 96. **(Canceled)**

97. **(Amended)** A method of treating or preventing a disease characterized by precipitation of IgA-immune complexes, comprising administering to a subject in need of treatment the ~~an isolated human monoclonal~~ antibody, or antigen binding portion thereof, of claim 59, 60, or 61 that specifically binds to CD89 in an amount effective to treat or prevent the disease, wherein the ~~monoclonal~~ antibody, or antigen binding portion thereof, does not block ~~blocks~~ IgA binding to CD89.

98. The method of claim 97, wherein the disease characterized by precipitation of IgA-immune complexes is selected from the group consisting of chronic hepatitis, Henoch-Schonlein purpura (HSP), Berger's disease, and IgA-glomerulonephritis.

99. **(Amended)** A method of detecting the presence of CD89 or a cell expressing CD89 in a sample, comprising:

contacting the sample with the antibody, or antigen binding portion thereof, of claim 59, 60, or 61 ~~1~~ under conditions that allow for formation of a complex between the antibody, or antigen binding portion thereof, and CD89; and

detecting the formation of the complex.

100. **(Canceled)**